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Personal Representative of
The Estate of Richard Yin Sung Lee,
a.k.a. Richard Y.S. Lee and Richard Lee

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FIRST CIRCUIT
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IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

MICHAEL L. McCLAIN,) CIVIL No. 1CCV-24-0000905
)
Plaintiff,) (Other Civil Complaint)
vs.)
) ANSWER TO COMPLAINT
LYNNAE L.L. LEE, PERSONAL)
REPRESENTATIVE OF THE ESTATE)
OF RICHARD YIN SUNG LEE, ALSO)
KNOWN AS RICHARD Y.S. LEE AND) Judge: Presiding
RICHARD LEE,)
Defendant.)
)

ANSWER TO COMPLAINT

COMES NOW, LYNNAE L.L. LEE, as Personal Representative of the Estate of Richard Yin Sung Lee, and answers the Complaint filed herein on July 9, 2024:

FIRST DEFENSE

1. The Complaint fails to state a claim upon which relief can be granted.

SECOND DEFENSE

2. Defendant admits to the allegations contained in paragraphs 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 14, and 16.
3. Defendant is without knowledge sufficient to form a belief as to the truth of the allegations in paragraph 15 and therefore denies same.
4. Defendant denies the allegations in paragraphs 4, 5 and 13.

COUNT 1

5. Defendant re-alleges her answers stated herein as to paragraph 17 of the Complaint.
6. Defendant is without knowledge sufficient to form a belief as to the truth of the allegations in paragraphs 18, 19, and therefore denies same.
7. Defendant denies the allegations contained in paragraphs 20 and 21.

COUNT 2

8. Defendant re-alleges her answers stated herein as to paragraph 22 of the Complaint.
9. Defendant admits to the allegations contained in paragraphs 26 and 27.
10. Defendant is without sufficient knowledge to form a belief as to the truth of the allegations in paragraphs 23, 24, 25, 31, and therefore denies same.
11. Defendant denies the allegations in paragraphs 28, 29, 30, 32, 33.

COUNT 3

12. Defendant re-alleges her answers stated herein as to paragraph 34 of the Complaint.
13. Defendant admits to the allegations contained in paragraph 36.
14. Defendant denies the allegations in paragraphs 35, 37, and 38 of the Complaint.

THIRD DEFENSE

1. Defendant asserts the defense of Res Judicata as the issues raised in Plaintiff's Complaint were previously heard on the merits and denied. The associated defense of the Law of the Case is also asserted.

FOURTH DEFENSE

1. Defendant affirms she will be relying on the following affirmative defenses: a) the Doctrine of Estoppel; b) the Doctrine of Unclean hands, c) the Doctrine of Laches; d) Subject Matter Jurisdiction.

WHEREFORE, Defendant LYNNAE L.L. LEE prays as follows:

1. That the Complaint be dismissed with prejudice.
2. That Defendant LYNNAE L.L. LEE be awarded their costs and attorney's fees incurred in response to this Complaint.
3. That this Court grant such other legal or equitable relief that is just and proper under the premises.

DATED: Honolulu, Hawaii; September 23, 2024.

/s/ Lynnae Lee
LYNNAE L.L. LEE
Personal Representative of The Estate of
Richard Yin Sung Lee, a.k.a. Richard Y.S. Lee
and Richard Lee